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## JUDGE SAMUEL HOUSTON LETCHER

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Judge Letcher was born in Lexington, Virginia, on the 4th of January, 1848, and died there September 5, 1914. He was a descendant of an heroic race. He was the eldest son of John Letcher, and his mother's maiden name was Susan Holt, of Rockingham County. His father was the distinguished War Governor of Virginia—a man of unusual ability and power, and one of the figures that illuminated the pages of Southern history during the heroic war between the States and who is ranked among Virginia's great dead.

Young Letcher was a spirited, adventurous and mischievous boy, but his mischief was of the harmless and humorous kind. When he was a small boy, Col. Thomas J. Jackson was a teacher at the Virginia Military Institute. Jackson was a peculiar, absent-minded, super-religious man and a Presbyterian of Presbyterians, and every Sunday morning, taught a Bible class at his church in Lexington; but the Colonel was apparently as much concerned about the condition of his physical self as about his spiritual state and "took all kinds of exercises;" and one of his hobbies, in the season for it, was to hoe corn on his place near the town. On a bright June Sunday morning, young Letcher, with other boys, was looking for ripe cherries in the country-side, when to their great surprise they saw Colonel Jackson, dressed in his work-day clothes, hoeing corn with great energy. They were astonished they thought the Colonel had gone mad. They climbed on the fence near by, looked at Jackson some time and giggled and chattered. Then young Letcher cried out, "Colonel Jackson, are you not going to teach your Bible class today?" Jackson appeared annoyed. He looked up with much contempt and replied, "You foolish boys, this is Saturday, get down from my fence and go home." With one voice the boys shouted, "You are mistaken: this is Sunday, Colonel." And the Colonel, not willing to run any risk, dropped his hoe and started for his

home, and young Letcher said that they abandoned their cherry hunt; they had an appetite of another kind. They wanted to see the Colonel going through the town in his work-day clothes, and to his great annoyance, followed along after him, openly showing their merriment.

When John Letcher became Governor of Virginia, he moved his family to the Executive Mansion in Richmond. This was a great change for young Letcher from his quiet native town to the big capital of the State. He was an imaginative boy and this was a new and broader field for him, and it was stirring times about the Executive Mansion. The leading men of the South were every-day visitors. There was intense feeling and political unrest, and it all fired young Letcher's imagination. He was entered in the classical school that was then conducted in Richmond by Professor Frank H. Alfriend. Young Letcher was a ready and apt student, but the intensity of his surroundings appealed to him. He said that he soon felt that school was too dull for him. One afternoon after school hours, he and a companion were strolling along by the wharf looking at the ships, and there saw a ship bound for Rio Janeiro, Brazil. That far off, wild, sunny land seemed to call him. It would be a wonderful adventure to take passage on the ship and work his way as a sailor. He bantered his companion to go with him. His banter was accepted. A resolution was made at once to go, and just before the ship embarked, they stole on board the ship and hid away until it had run out on the high seas, and then they came forward and volunteered to work as sailors.

They were brought before the captain and reprimanded very severely. Young Letcher said that they told the captain that they wanted work, and that they did not know any other way they could get work to do. He said that the captain remarked: "You look well dressed and well bred, and I will give you nothing to do, but will put you under guard unless you make known to me who you are," Letcher said, "I then told him." The captain knew the Governor and gave young Sam and his companion work—but work as common sailors.

They suspected that the captain would try to detain them at the end of their voyage, and bring them back to their homes, but Letcher said that he knew that the captain would be very busy

as he neared the port, and that all would be hurry and bustle upon the arrival at the wharf, and that he and his companion prepared for this, and in disguise and in the confusion of the arrival, went ashore unobserved. They had very little money, were in a strange land, and the people about them spoke in an unknown tongue, but it was all in accord with their spirit of adventure, and they were both resourceful.

They soon got employment on board one of the Amazon boats. When they had saved enough to present a creditable appearance, they went to the American Consul and told who they were, and they were received and treated with the greatest consideration. From the consul they learned that the great war between the states had begun, and young Letcher said that that interested him more than the wild, strange land of the South, and he and his companion determined to make their way back to old Virginia. They soon found that it was not easy to find a boat going to any of the southern ports. The blockade was too strict—only adventurers would assume the risk of running the blockade.

They waited long and anxiously for a ship to a port of the Southern States, until they became discouraged and determined to risk a ship bound for a northern port. They noted an American ship loading with a cargo for New York, and they kept a lookout for its sailing. They tried to get employment on board the ship but were unsuccessful. They then stole on board and hid until the ship was far from port, and when they were discovered no consideration was given them. They were made the drudges and butts of the boat, and many were the hardships that the boys bore, but they were bound for home where there was a glorious war, and they were willing to bear and endure anything. After suffering many hardships and trials, they at last landed in New York. They hurried on to Washington, and Letcher said it was glorious to see the soft blue hills of Virginia, but Virginia was to them only a promised land. It was impossible for them to get passports. They were, indeed, in a foreign land and among the Philistines, but the boys were brave and adventurous, and one night they made their way out of the city through guards and ranks of soldiers and struck out for the Potomac. They walked up the northern bank of the river all night. A little after daybreak, they saw a boat near them, tied to a sapling,

and as they were about to untie it, two Federal soldiers suddenly came on them from a thicket nearby and captured them. They were accused of being spies and were searched, but nothing to stand against them was found on their persons. They were taken, however, to an encampment not far away, and brought before the officer in command, who, after questioning them, ordered that they be kept in a tent under guard.

They were guarded all day, and they expected every minute to be marched off to prison. Night came and two soldiers were placed over them as guards. Young Letcher and his companion were on the watch and, about midnight, escaped from the tent. There were tents and soldiers everywhere, but there was a thick fog and it was a night dark as Egypt. Steering their course westward, they finally came to the outskirts of the encampment, when they were suddenly called upon to halt, but it was so dark that no one could see and they evaded and escaped, and went on westward up the Potomac.

At daylight they were very tired and hungry, and they lay down in a thicket near the banks of the river to get some rest. Shortly after sun-up, they were awakened by a splashing in the water nearby, and they saw a man in Federal uniform just tying his boat. They were only a few feet from him, but he did not see them, and after he had gotten out of sight, they untied the boat and got into it and rowed to the Virginia shore. Tired as they were, they took to their heels. About ten o'clock they came to a farm house where they were kindly received. They felt that they were very likely to be pursued, and as soon as they had gotten refreshments, they hurried off to a thicket and concealed themselves, and after night-fall returned to the house and found two Southern scouts there, who took great interest in them. They were told that the nearest Confederate army was a few miles north of Front Royal, and the boys were furnished with arms and the scouts accompanied them for about twenty miles and then gave them directions. Two days afterwards they came into the southern encampment in the great Valley.

The boys immediately offered to volunteer, but when it was known who they were they were brought before the officer in command, and he immediately "wired" to Governor Letcher, and the Governor wired back, "Send the prodigals to me." Judge

Letcher, in speaking of it, said he would rather have faced Yankee bayonets and bullets than his irate father, but there was nothing else to do, and he went on to Richmond, but he said that he was received at home in the spirit of the parable.

Young Letcher, however, was restless. The great battlefields of the Confederacy were not far away, and before the Governor knew it, his son was in the army of Virginia where there was bloody fighting, and in the heat of the fray. His presence there, however, was soon reported to the old War Governor, and he went out and found his son and carried him to Lexington, and entered him in the noted Virginia Military Institute, with the strictest orders about him. He said that when the Governor left him he said, "Now, Houston, I place you here on your honor," and Letcher said that he would have escaped from the place but for that, but he knew that he could never face the Governor again if he disobeyed him. He said that it was a sad thing for him and that he felt that it was all over with him and that he would never see a battle field again, but he was on his honor and there was no alternative. So he began in earnest to prepare himself for a soldier. It was a hard task, though, for him. His heart was with the army. He longed for the camp and the field of battle. He said that he could not help but feel that this noted school was like a prison, and this feeling was not confined alone to him. There was a feverish unrest among all the students. The bloody and desolating campaigns of the last year on Virginia soil attracted them. Their parents and brethren were already in the field. They were able and prepared to fight for home and the State, and why should they be kept away longer from the glorious war, when everyone who could shoot a gun was needed so badly to repel the foe?

But the time for the boys was coming. In May, 1864, the enemy in strong force were moving up the Shenandoah Valley to destroy the granary of Lee's army. There were not sufficient forces to meet them. The cadets were ordered to join Gen. Breckenridge and stop the enemy. The cadets did not know that their time was so near at hand. Long roll was called at midnight and each man took his place in the ranks. There was not a thought of being called to arms, and when orders were read by the officer in command directing that the corps should march

promptly "down" the Valley, every cadet stood spell bound. Orders were given to march at four in the morning, and the ranks broke, and then, young Letcher said, he never heard such shouting, such hilarity. He said it was the happiest time of his life.

At 4 a. m. promptly, they began the march. It was a long hard march, but they were well drilled and seasoned. On they went full of the spirit of war, and without any apparent concern about the consequences except to meet and give the northerner "a sound thrashing." They were coming closer and closer to the enemy. On the night of May 14, 1864, at midnight, they were quietly roused and ordered to prepare to march, and at 1:30 o'clock they noiselessly moved from camp, but before starting off, Capt. Frank Preston, in the gloom of the night, offered up a prayer before the boys that reminded them that they were on the eve of battle and about to face death and the bar of God. Letcher said that this prayer made the prospect for the cadets appear doubly gloomy. After the prayer, they marched on with solemn faces and sad hearts, but about daybreak they came up with and passed through many of Wharton's seasoned veterans who were preparing for breakfast by the road side. Young Letcher had been with Lee's army and knew the seasoned old soldiers, and had felt their gibes and had often been told, "Go home, child, and stay with your mother," but hardly another boy in the corps knew anything about the old veterans in camp or when about to engage in battle. Their manner and bearing toward the young soldiers were a great surprise to them; in striking contrast with Capt. Preston's manner and the spirit of his prayer. The old soldiers were hilarious and showed no concern about the prospect of battle. Their gibes and jeers and jokes greatly annoyed the boys—they felt severely the seasoned soldiers' jokes—but Letcher said that they appeared to forget about death and judgment and facing the bar of God, and the soldier spirit was revived within them, and they fell into battle line and fought like old veterans, and fully sustained the reputation of the noted school where the great Jackson had taught.

They who knew Letcher intimately will remember with pleasure his conversations about the cadets on the march, in camp, and at Newmarket.

Young Letcher hoped, after the battle of Newmarket, to be permitted by his father to go into and remain in active service, but he was not permitted to do this, and remained a student at the institute until it was burned by the vandal Hunter who, at the same time, dismantled Washington College and burned the home of Governor Letcher.

After the burning of the institute, young Letcher joined General Early's command and later saw active service in the trenches about Richmond. In December, 1864, he was appointed first lieutenant in the army under General Preston, under whom he served to the end of the war.

The great war over, Letcher returned to his home in Lexington with a sad heart and went to work at whatever his hands could find to do. He was not too proud to do any kind of work that would earn an honest living.

As soon as the Virginia Military Institute could be opened again, young Letcher entered as a student, and was graduated as First Lieutenant in Company B, 1869. He then began the study of the law and in 1870, became a member of the firm of Letcher, Maury & Letcher. He was a diligent student and had great capacity for work and for the details of business. He was so diligent in business and so careful and painstaking that in a short while he was given full charge of all the business of the office.

The years had borne heavily upon Governor Letcher. He had gone through great trials and tribulations, and sustained severe financial losses, and was embarrassed with a large family. It was not so easy for him to adapt himself to the new era, but his son took charge of his affairs and was so prudent and far sighted in all business matters that in a few years he had his father's business on a safe footing, and he was soon esteemed to be one of the best and safest business men of his town. The firm of Letcher, Maury & Letcher was dissolved soon after young Letcher entered the firm, and he and his father were associated together as Letcher & Letcher until his father's death.

Judge Letcher had what few lawyers have—a just estimate of the value of money. He learned the value and importance of money when he became associated with his father and saw the condition of his affairs. He said that he at once formed

habits that were of great benefit to him—the habit of always endeavoring to secure enough to avoid dependence on others, either for his bread or his opinion, but he said that he equally learned to realize the evil of crawling in the dust or giving away to one's conscience in money getting. In the smallest details he showed economy and prudence and forethought, but was charitable and liberal but always according to his means. He used to say that a man who is wasteful of his own earnings or property is very likely to be reckless or wasteful of other people's property entrusted to him, and that he early learned to realize, that people would not entrust business to a lawyer unless they knew that it was perfectly safe in his hands.

Judge Letcher was not specially gifted as a trial lawyer, but he was a very skilled draftsman, conveyancer and office lawyer, and his court work was confined chiefly to equity practice. He was considered the leading conveyancer at his bar, and esteemed always as a safe and prudent adviser. There were few lawyers in Virginia whose advice was sought after more than his, and his judgment about all matters of business was safe and profound. He had a large clientage and never lost a client on account of any neglect of business. One of his maxims was that it was much better to keep clients out of uncertain litigation than to be able by skill and shrewdness to win cases.

In 1895, he was elected to the Senate of Virginia, and soon became one of the most efficient members of that body. Usually it takes a new member a long time to grow up in influence in that body, but Letcher knew nearly all of the public men in the State; his acquaintance was so wide, and he was so familiar with Virginia's affairs that he took a prominent place almost at the start, and was esteemed and held as one of the leading members of the Senate.

When Judge McLaughlin, who was judge of the Eighteenth Circuit, died, Samuel Houston Letcher was appointed without solicitation to succeed Judge McLaughlin. The eighteenth was then a large circuit, composed of the counties of Allegheny, Augusta, Bath, Highland, Rockbridge and Rockingham, and the city of Staunton. There was not a circuit in the State where there was so much work to be done. Judge McLaughlin had been a great worker and he had kept abreast of his work until

the last year of his life when his health began to fail. Court work had accumulated when Judge Letcher took the bench and the work that he had to do was enormous. He was an equity lawyer of the first rate, but had not had much experience on the common-law side, and the period when he became judge was a transition period of the law, and the beginning of new branches of the law in negligence and tort cases.

He was a very conscientious man, always bent on doing his duty and determined if possible to mete out exact justice. Much labor was entailed on him. He worked without ceasing. He did more work, I believe, than any other two judges in the State. It told on him. It was apparent that it was affecting his constitution, but he was so careful and so systematic about his manner of living that he stood the strain as few men could have borne it. When the new constitution came into effect it was thought that that would relieve the great pressure of work on him. His circuit was very much less in territory, but there was a new class of business—the criminal business—a branch of the law in which he had had little experience, and it gave him much concern, but no judge ever worked harder or tried more faithfully to do his duty, and there was never a judge that was more beloved or respected and esteemed for his high honor and integrity of character.

During Judge Letcher's long tenure of judicial office, I was with him much on his circuit. I often traveled with him to and from the different counties, sometimes on long drives, and was closely and intimately associated with him, and learned to know him as I have known few people, and there was a charm about him that was irresistible. His mind was so well stored with information, and he was so full of good fellowship and bubbling over with humor that he always made life enjoyable. We did not always have pleasant places to stay in the circuit, but hotel discomforts, and even the crudest hotel fare were all forgotten in Letcher's companionship. He saw interest and humor in everything, and took one away from himself. To follow his conversations was to live and be in a perpetual spring.

Whenever he was not busy, there were always crowds of the bar about him to converse with him, or to hear him talk, and he never failed to interest and amuse and to make everyone feel

better when they parted with him. At our bar in Staunton, we always looked forward to Letcher's coming, to his good fellowship, to his anecdotes and interesting conversations. Whenever there was a lull in court business, the judge and the bar retired to the judge's room, and some of the most pleasant moments of my life have been spent there with Letcher. I never go into the judge's room in our courthouse without recalling pleasant memories of Letcher. No one who was ever judge of this circuit was so beloved. But the great strain of work had told on him, and he felt that he could not stand it much longer and declined to be re-elected. The popularity and endearment of Letcher among the members of the bar was such that no one could have defeated him. He had hoped to be able to write a biography of his father, and began the work with much diligence after the end of his judgeship, but his health gave way before he had been able to accomplish much, and the end soon came.

Judge Letcher was noted for his hospitality, and for his striking and charming manners. In his presence the humblest man felt at ease, and kindness, love and consideration for others were always present in his intercourse with his fellows. His home on beautiful Letcher Avenue, the connecting link between Lexington's two great institutions of learning, was an open house for his many friends, and it was the home that more than any other made Lexington famous for its old Virginia hospitality.

He showed great pride, interest and love in Washington and Lee University and the Virginia Military Institute. For many years, and until he became judge of the Eighteenth Circuit, he was president of the Board of Visitors of his beloved "West Point," and few men of his time did more for the advancement of learning.

I never appreciated the beauty of the grounds of Washington and Lee University until I had walked through them with Letcher and heard him tell and point out their many advantages and beauties, and I was convinced that there are no natural grounds of any school that surpass them. And then his "West Point!" How he loved to walk with strangers about its historic grounds and tell all the interesting things about them. Some of the happiest strolls that I have ever had were with Letcher

through the grounds of Washington and Lee University and the Virginia Military Institute, and I have heard many others say as much.

When I think of the beautiful town of Lexington set among the grass-clad hills by the gentle river, I always think of Letcher, and if he did not rank with the greatest of the dead who rest there, making it a veritable Mecca of the South, there was never a more interesting, attractive, beloved, or gentler man.

Judge Letcher lived and thought outside of the realms of dogmas, creeds and superstitions that make the world turn backward. He was charitable, broad-minded and kind of heart, and in all matters was guided by an intelligent conscience—by the light within, thought by many to be alone the way, the truth and the light. His was a helpful, manly, prudent and hopeful life, and the world has gained by his work and example.

CHARLES CURRY,  
*Staunton, Va.*